

SENATE BILL No. 166

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-27-1.

Synopsis: Physical therapy. Allows a physical therapist to provide subsequent treatment to a patient who was previously referred to the physical therapist for the same condition if: (1) the referral was given not more than 12 months before the request for subsequent treatment; and (2) the physical therapist contacts the referring provider within three days. Provides that a person may not: (1) advertise that the person practices physical therapy if the person does not have a license; or (2) promote that another person is a physical therapist if the other person does not have license. Allows a physical therapist to evaluate a patient without a referral, but requires the physical therapist to contact the patient's appropriate provider and obtain a referral before providing treatment. Specifies that a physical therapist may perform sharp debridement only on the order of a physician. Removes the authority that allows physical therapists to practice physical therapy upon the order or referral of a psychologist.

Effective: July 1, 2006.

Miller

January 9, 2006, read first time and referred to Committee on Health and Provider Services.

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Introduced

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 166

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 25-27-1-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 1. For the purposes of
3 this chapter:

4 (1) "Physical therapy" means the evaluation of, administration of,
5 or instruction in physical rehabilitative and habilitative
6 techniques, and procedures to evaluate, prevent, correct, treat,
7 alleviate, and limit physical disability, pathokinesiological
8 function, bodily malfunction, pain from injury, disease, and any
9 other physical disability, ~~or mental disorder~~, including:

10 (A) the use of physical measures, agents, and devices for
11 preventive and therapeutic purposes;

12 (B) neurodevelopmental procedures;

13 (C) the performance, interpretation, and evaluation of physical
14 therapy tests and measurements; and

15 (D) the provision of consultative, educational, and other
16 advisory services for the purpose of preventing or reducing the
17 incidence and severity of physical disability, bodily



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malfunction, and pain.

(2) "Physical therapist" means a person who practices physical therapy as defined in this chapter.

(3) "Physical therapist's assistant" means a person who assists in the practice of physical therapy as defined in this chapter.

(4) "Board" refers to the medical licensing board.

(5) "Committee" refers to the Indiana physical therapy committee established under section 4 of this chapter.

(6) "Person" means an individual.

(7) "Sharp debridement" means the removal of foreign material or dead tissue from or around a wound, without anesthesia and with generally no bleeding, through the use of:

(A) a sterile scalpel;

(B) scissors;

(C) forceps;

(D) tweezers; or

(E) another sharp medical instrument;

in order to expose healthy tissue, prevent infection, and promote healing.

SECTION 2. IC 25-27-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: Sec. 2. (a) Except as otherwise provided in this chapter, it is unlawful for a person to:

(1) practice physical therapy; or to

(2) profess to be a physical therapist, physiotherapist, or physical therapy technician or to use the initials "P.T.", "P.T.T.", or "R.P.T.", or any other letters, words, abbreviations, or insignia indicating that the person is a physical therapist; or to

(3) practice or to assume the duties incident to physical therapy; or

(4) advertise that the person practices physical therapy;

without first obtaining from the board a license authorizing the person to practice physical therapy in this state. **Except as otherwise provided in this chapter, it is unlawful for a person to promote another person as being a physical therapist if the other person is not licensed to practice physical therapy under this chapter.**

(b) **Except as provided in section 2.5 of this chapter,** it is unlawful for a person to practice physical therapy other than upon the order or referral of a physician, podiatrist, ~~psychologist~~, chiropractor, or dentist holding an unlimited license to practice medicine, podiatric medicine, psychology, chiropractic, or dentistry, respectively. It is unlawful for a physical therapist to use the services of a physical therapist's assistant except as provided under this chapter. For the

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purposes of this subsection, the function of:

- (1) teaching;
- (2) doing research;
- (3) providing advisory services; or
- (4) conducting seminars on physical therapy;

is not considered to be a practice of physical therapy.

(c) Except as otherwise provided in this chapter, it is unlawful for a person to act as a physical therapist's assistant or to use initials, letters, words, abbreviations, or insignia indicating that the person is a physical therapist's assistant without first obtaining from the board a certificate authorizing the person to act as a physical therapist's assistant. It is unlawful for the person to act as a physical therapist's assistant other than under the direct supervision of a licensed physical therapist who is in responsible charge of a patient or under the direct supervision of a physician. However, nothing in this chapter prohibits a person licensed or registered in this state under another law from engaging in the practice for which the person is licensed or registered. These exempted persons include persons engaged in the practice of osteopathy, chiropractic, or podiatric medicine.

(d) **Except as provided in section 2.5 of this chapter**, this chapter does not authorize a person who is licensed as a physical therapist or certified as a physical therapist's assistant to:

- (1) evaluate any physical disability ~~or mental disorder~~ except upon the order or referral of a physician, podiatrist, ~~psychologist~~, chiropractor, or dentist;
- (2) practice medicine, surgery (as described in IC 25-22.5-1-1.1(a)(1)(C)), dentistry, optometry, osteopathy, psychology, chiropractic, or podiatric medicine; or
- (3) prescribe a drug or other remedial substance used in medicine.

SECTION 3. IC 25-27-1-2.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2006]: **Sec. 2.5. (a) A physical therapist may evaluate an individual without a referral from a provider described in section 2(b) of this chapter. However, the physical therapist:**

- (1) shall contact the individual's appropriate provider for a referral not later than three (3) business days after the physical therapist evaluates the individual; and**
- (2) shall obtain a referral from the appropriate provider before providing treatment to the individual.**

(b) Notwithstanding subsection (a) and except as provided in section 3.5 of this chapter, a physical therapist may provide subsequent treatment of a condition to an individual who was

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1 previously referred to the physical therapist for the same condition
2 if the referral that authorized the previous treatment under section
3 2(b) of this chapter was given not more than twelve (12) months
4 before the date the individual requests subsequent treatment from
5 the physical therapist. However, the physical therapist shall consult
6 with the individual's original referring provider not later than
7 three (3) days after the physical therapist provides subsequent
8 treatment to the individual under this subsection.

9 SECTION 4. IC 25-27-1-3.5 IS ADDED TO THE INDIANA CODE
10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2006]: **Sec. 3.5. A physical therapist may not perform sharp
12 debridement unless the physical therapist performing the sharp
13 debridement is acting on the order of a physician licensed under:**

- 14 (1) IC 25-22.5; or
15 (2) IC 25-29.

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